

## CCRB INVESTIGATIVE RECOMMENDATION

Investigator: William Rasenberger	Team: Squad #7	CCRB Case #: 202003654	<input checked="" type="checkbox"/> Force	<input checked="" type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input checked="" type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input type="checkbox"/> Injury
Incident Date(s) Thursday, 05/21/2020 10:20 PM	Location of Incident: § 87(2)(b)	Precinct: 44	18 Mo. SOL 11/21/2021	EO SOL 5/4/2022	
Date/Time CV Reported Thu, 05/21/2020 10:58 PM	CV Reported At: IAB	How CV Reported: Phone	Date/Time Received at CCRB Fri, 05/29/2020 11:36 AM		

Complainant/Victim	Type	Home Address

Subject Officer(s)	Shield	TaxID	Command
1. Officers			
2. POM John Echevarria	30847	953836	043 PCT
3. SGT Joseph Signorile	03197	949663	047 PCT
4. POM Austin Hieronymi	24365	957676	047 PCT
5. POM Dennis Vargas	07471	957245	042 PCT
6. PO RICHARD PODLOVITS	19283	957965	GVSD Z2 VRTF
7. An officer			

Witness Officer(s)	Shield No	Tax No	Cmd Name
1. POM Bory Echanique	17967	958540	043 PCT
2. POM Paul Kelly	03683	959726	047 PCT
3. POM Anthony Saline	12924	962081	052 PCT
4. POM John Avellino	26918	958273	048 PCT
5. SGT THOMAS DEMKIW	00691	945658	VED ZN1

Officer(s)	Allegation	Investigator Recommendation
A.SGT Joseph Signorile	Abuse: Sergeant Joseph Signorile stopped § 87(2)(b)	
B.POM Dennis Vargas	Abuse: Police Officer Dennis Vargas stopped § 87(2)(b)	
C.POM Dennis Vargas	Force: Police Officer Dennis Vargas pointed his gun at § 87(2)(b)	
D.POM Dennis Vargas	Force: Police Officer Dennis Vargas pointed his gun at § 87(2)(b)	
E.POM Dennis Vargas	Force: Police Officer Dennis Vargas pointed his gun at § 87(2)(b)	
F.PO RICHARD PODLOVITS	Force: Police Officer RICHARD PODLOVITS pointed his gun at § 87(2)(b)	
G.PO RICHARD PODLOVITS	Force: Police Officer RICHARD PODLOVITS pointed his gun at § 87(2)(b)	
H.PO RICHARD PODLOVITS	Force: Police Officer RICHARD PODLOVITS pointed his gun at § 87(2)(b)	
I.POM Austin Hieronymi	Abuse: Police Officer Austin Hieronymi drew his gun.	

Officer(s)	Allegation	Investigator Recommendation
J.POM Dennis Vargas	Discourtesy: Police Officer Dennis Vargas spoke discourteously to § 87(2)(b)	
K.POM Dennis Vargas	Discourtesy: Police Officer Dennis Vargas spoke discourteously to § 87(2)(b)	
L.POM Dennis Vargas	Discourtesy: Police Officer Dennis Vargas spoke discourteously to § 87(2)(b)	
M.POM John Echevarria	Abuse: Police Officer John Echevarria frisked § 87(2)(b)	
N.POM Austin Hieronymi	Force: Police Officer Austin Hieronymi used physical force against § 87(2)(b)	
O.PO RICHARD PODLOVITS	Abuse: Police Officer RICHARD PODLOVITS frisked § 87(2)(b)	
P.SGT Joseph Signorile	Abuse: Sergeant Joseph Signorile entered § 87(2)(b) inside of § 87(2)(b) in the Bronx.	
Q. An officer	Discourtesy: An officer spoke discourteously to § 87(2)(b)	
R. Officers	Abuse: Officers refused to provide their shield numbers to § 87(2)(b)	

## Case Summary

On May 29<sup>th</sup>, 2020, the CCRB received log # 2020-13207 from the Internal Affairs Bureau, which contained the following complaint on behalf of § 87(2)(b) his teenage son § 87(2)(b) and his brother § 87(2)(b) [BR 1].

On May 21<sup>st</sup>, 2020, at about 10:00 p.m., § 87(2)(b) and a friend – who has not been identified -- were walking along the sidewalk in front of § 87(2)(b) in the Bronx, in which building § 87(2)(b) and § 87(2)(b)'s brother, § 87(2)(b) reside. Sergeant Joseph Signorile and Police Officers Bory Echanique, Dennis Vargas, and John Echevarria of Patrol Borough Bronx anti-crime, who were travelling in an unmarked RMP, pulled alongside § 87(2)(b). It is settled that PO Vargas spoke to § 87(2)(b) but what he said is in dispute. When, seconds later, PO Vargas began to exit the RMP, § 87(2)(b) ran into § 87(2)(b). PO Vargas, PO Echanique, and PO Echevarria all pursued § 87(2)(b) into the building [Allegations A and B: Abuse of Authority – Stop, § 87(2)(g)] and then up to the fourth floor. § 87(2)(b) entered his apartment, § 87(2)(b) and locked the door behind him. Officers in the hallway outside repeatedly ordered him to come out of the apartment, and PO Echevarria tried unsuccessfully to kick the door open. Approximately three minutes later, § 87(2)(b) opened the door and stepped into the hallway. Then § 87(2)(b) exited, with a small knife in each of his hands. § 87(2)(b) who was holding a chef's knife, stayed within the apartment. PO Vargas and PO Podlovits pointed their firearms at the three men [Allegations C - H: Force – Gun Pointed, § 87(2)(g)]. Police Officer Austin Hieronymi of Patrol Borough Bronx anti-crime drew, but did not point, his firearm [Allegation I: Abuse of Authority – Gun Drawn, § 87(2)(g)]. Police Officer Vargas yelled at § 87(2)(b) and § 87(2)(b) to “get the fuck out” [Allegations J -L: Discourtesy – Word, § 87(2)(g)]. The men complied with PO Vargas and other officers’ orders to exit the apartment. Police Officer Echevarria allegedly then frisked § 87(2)(b) [Allegation M: Abuse of Authority – Frisk, § 87(2)(g)]. Police Officer Hieronymi allegedly struck § 87(2)(b) in his leg after bringing him to the ground [Allegation N: Force – Physical Force, § 87(2)(g)]. Police Officer Richard Podlovits frisked § 87(2)(b) after placing him in handcuffs [Allegation O: Abuse of Authority – Frisk, § 87(2)(g)]. Sgt. Signorile and multiple other officers then entered the apartment and conducted a security sweep throughout the premises [Allegation P: Abuse of Authority – Entry, § 87(2)(g)]. Later, when Sgt. Signorile was speaking with § 87(2)(b) instructed § 87(2)(b) not to answer any questions. An officer allegedly said “fuck you” to § 87(2)(b) [Allegation Q: Discourtesy – Word, § 87(2)(g)]. Minutes later, § 87(2)(b) asked for all involved officers’ shield numbers. None of the back-up officers on scene provided their shield numbers to § 87(2)(b) [Allegation R: Abuse of Authority – Refusal to Provide Shield Numbers, § 87(2)(g)]. § 87(2)(b) and § 87(2)(b) were not arrested, and were ultimately let go without summonses.

The CCRB is in possession of ten body-worn camera videos of the incident [BR 2].

## Findings and Recommendations

Allegation A: Abuse of Authority – Sergeant Joseph Signorile stopped § 87(2)(b)

Allegation B: Abuse of Authority – Police Officer Dennis Vargas stopped § 87(2)(b)

§ 87(2)(b) stated during his CCRB interview [BR 3] that, at about 10 p.m. on May 21<sup>st</sup>, 2020, he exited § 87(2)(b) to take out garbage. He was wearing a baggy grey hooded sweatshirt and matching grey sweatpants. His iPhone XR was in the stomach pocket of his sweatshirt. He walked with his right hand inside of this pocket, holding his phone, and carried a

garbage bag in his left hand. As he was placing the bag in a trash bin outside of the building, about ten feet south of the entrance, Sgt. Signorile and Officers Vargas, Echanique, and Echevarria pulled alongside him in an unmarked vehicle. § 87(2)(b) had not seen the vehicle before this point and did not know that it was a police vehicle. Police Officer Vargas looked out of the front passenger seat window, according to § 87(2)(b) and asked “what’s up?” Because the window was tinted and only partly rolled down, § 87(2)(b) could not clearly see PO Vargas. § 87(2)(b) replied “what’s up” and then began walking south toward § 87(2)(b). The officers continued to drive alongside him and PO Vargas again asked “what’s up?” PO Vargas then lowered his hand, as if to open the car door. Still unaware that PO Vargas was a police officer, § 87(2)(b) was frightened. He turned around and ran toward the entrance to § 87(2)(b). Police Officers Echevarria, Echanique, and Vargas exited their vehicle and chased after him. At least one of the officers yelled at him to “come here.” § 87(2)(b) denied that he heard the officers say “police” or otherwise identify themselves as such.

Sgt. Signorile, PO Vargas, PO Echanique, and PO Echevarria were consistent that there is a high volume of firearms-and-narcotics-related crime on § 87(2)(b) as well as its environs. PO Vargas testified during his CCRB interview [BR 4] that he observed § 87(2)(b) and another male walking past § 87(2)(b) just south of the building’s entrance. As Sgt. Signorile pulled the RMP alongside § 87(2)(b) and the other male, PO Vargas observed an object inside of § 87(2)(b)’s sweatshirt pocket repeatedly “bouncing” off of his abdomen. The motion of the object was consistent with that of a hard, heavy object, according to PO Vargas, and was inconsistent with how a cellphone moves inside of a pocket. Although he could not discern the object’s shape, he believed that it was a handgun, based on his experience observing concealed firearms. Sgt. Signorile testified during his CCRB interview [BR 5] that the object in § 87(2)(b)’s sweatshirt was large and was weighing the pocket down. He was too far from § 87(2)(b) to determine the object’s shape. PO Echevarria and PO Echanique, who sat in the rear of the RMP and thus only saw § 87(2)(b) from behind, were consistent during their CCRB interviews [BR 6 and 7] that either PO Vargas or Sgt. Signorile announced that § 87(2)(b) was “grabbing something.” PO Echevarria then observed that § 87(2)(b)’s right arm was tucked close to his body and was bent at the elbow. PO Echevarria could not see § 87(2)(b)’s hands, and did not observe the object in § 87(2)(b)’s sweatshirt pocket.

Sgt. Signorile and PO Vargas were consistent that § 87(2)(b) turned to face the RMP shortly after Sgt. Signorile had pulled alongside him. His eyes widened and he appeared nervous. (PO Vargas believed that § 87(2)(b) recognized the RMP as a police vehicle because it is a Chevrolet Impala, a vehicle commonly used by the NYPD, and is outfitted with bulletproof doors.) He then clutched the object in his sweatshirt pocket, according to PO Vargas, which caused it to stop “bouncing.” This led PO Vargas to infer that § 87(2)(b) was trying to conceal the object. Intending to stop § 87(2)(b) and conduct a further investigation, PO Vargas verbally identified himself as a police officer. Sgt. Signorile, PO Echanique, and PO Echevarria were consistent that at least one officer in the vehicle identified himself as police. However, the officers equivocated as to whether they had a distinct recollection of an officer identifying himself as police or, instead, assumed that an officer identified himself because that is standard practice for anti-crime officers.

PO Vargas stated that immediately after he said “police,” § 87(2)(b) began running toward the entrance of § 87(2)(b). He, PO Echevarria and PO Echanique gave chase to § 87(2)(b) as he ran into the building and up the stairs. PO Echanique stated that § 87(2)(b) appeared to grab his waistband or sweatshirt pocket as he ran. This, in conjunction with his flight, led PO Echanique to conclude that § 87(2)(b) had a firearm. According to PO Vargas, he and PO Echanique yelled at § 87(2)(b) to stop as they pursued him. § 87(2)(b) ran into his apartment, § 87(2)(b) and shut the door behind him. Seconds after entering his apartment, § 87(2)(b) heard officers outside yelling “open the door.” None of the officers identified themselves as police, according to § 87(2)(b) and § 87(2)(b) both

of whom were in the apartment, were consistent on this point during their CCRB interviews [BR 8 and 9]. At 00:50 in Sgt. Signorile's body-worn camera footage [BR 10], Officer Echevarria is seen kicking the door to § 87(2)(b). He testified that he was attempting to forcibly breach the door. He believed himself to be in hot pursuit at this time, because he had reasonable suspicion that § 87(2)(b) had a firearm. Further, he did not know whose apartment § 87(2)(b) had entered. There was a possibility that he had run into "the first door that was open." At 01:04 in Sgt. Signorile's BWC footage, Officer Echanique is heard yelling "open the door." PO Echevarria, PO Echanique, and PO Vargas testified that they continued to identify themselves as police officers while ordering § 87(2)(b) to open the door. This is not captured in Sgt. Signorile's BWC footage.

Under Patrol Guide § 212.11, a common law right of inquiry is an encounter between a civilian and a uniformed member of the service conducted for the purpose of asking the civilian pointed or accusatory questions because the police officer has a "founded suspicion" that criminal activity is afoot. Upon a founded suspicion of criminality, the officer may approach a person to ask accusatory questions and may seek consent to search. During a Level 2 encounter, the person is free to refuse to answer questions and is free to leave. Refusal to answer questions or walking away does not raise the level of suspicion. However, flight (running away) during a Level 2 encounter does escalate the encounter to Level 3 and the officer is permitted to pursue the person. NYPD Patrol Guide § 212.11 [BR 11]

In *People v. Riddick*, the facts were as follows. Uniformed officers travelling in an unmarked vehicle observed the defendant, along with two other men, in a high crime area. The driver of the unmarked vehicle pulled up near the individuals and told them to leave the area. The defendant reached for his waistband and ran away. The police pursued the defendant. The court ruled that a defendant's flight in response to an approach by the police, combined with other specific circumstances indicating that the suspect may be engaged in criminal activity, may give rise to reasonable suspicion, the necessary predicate for police pursuit. On the other hand, actions that are "at all time innocuous and readily susceptible of an innocent interpretation may not generate a founded suspicion of criminal activity." The court went on to rule that the defendant reaching for his waistband, absent any indication of a weapon such as the *visible outline of a gun*, does not establish reasonable suspicion. The mere fact that the defendant was in an alleged high crime area does not supply that requisite reasonable suspicion in the absence of other objective indicia of criminality. Furthermore, given that they were travelling in an unmarked van, there was no evidence that the officers were recognizable to the defendant as officers. In the absence of any evidence indicating that the police officers were clearly identifiable as such, or that the defendant recognized the officers as such, the officers were not justified in pursuing defendant based on his flight from the police. *People v. Riddick* 70 A.D.3d 1421 [BR 12].

In *People v. Howard*, the facts were as follows. At nighttime, in a high-crime area, officers observed the defendant repeatedly place his hand inside the left side of his jacket as though to readjust something. When the officers approached, the defendant was holding his left arm in a rigid position against his left side. The officers noticed a bulge in the defendant's left jacket pocket but could not discern the shape or outline of the bulge. The court ruled that the defendant's behavior was innocuous or, at best, equivocal. The defendant's innocuous movement of reaching inside his jacket pocket was readily susceptible of an innocent interpretation. Furthermore, the mere observation of an undefinable bulge in a person's pocket is an insufficient predicate for a stop. Unlike a waistband bulge which is a telltale of a weapon, a pocket bulge could be caused by any number of objects. *People v. Howard* 147 A.D.2d 177 [BR 13].

In *People v. Faulkner*, the facts were as follows. Officers had probable cause to arrest the defendant after observing him engage in a narcotics transaction. When the officers attempted to arrest the man, he fled into an apartment. Because the officers had probable cause and given that exigent circumstances were clearly present including the possibility that contraband would be destroyed, they were justified in pursuing the defendant into the apartment. *People v. Faulkner* 185

A.D.2d 764 [BR 14].

§ 87(2)(g)

§ 87(2)(g)

Allegation C: Force – Officer Dennis Vargas pointed his gun at § 87(2)(b)

Allegation D: Force – Officer Dennis Vargas pointed his gun at § 87(2)(b)

Allegation E: Force – Officer Dennis Vargas pointed his gun at § 87(2)(b)

Allegation F: Force – Officer Richard Podlovits pointed his gun at § 87(2)(b)

Allegation G: Force – Officer Richard Podlovits pointed his gun at § 87(2)(b)

Allegation H: Force – Officer Richard Podlovits pointed his gun at § 87(2)(b)

Allegation I: Abuse of Authority – Police Officer Austin Hieronymi drew his gun.

Allegation J: Discourtesy- Police Officer Dennis Vargas spoke discourteously to § 87(2)(b)

Allegation K: Discourtesy – Police Officer Dennis Vargas spoke discourteously to § 87(2)(b)

Allegation L: Discourtesy – Police Officer Dennis Vargas spoke discourteously to § 87(2)(b)

**Allegation M: Abuse of Authority – Police Officer John Echevarria frisked § 87(2)(b)**

**Allegation N: Force – Police Officer Austin Hieronymi used physical force against § 87(2)(b)**

**Allegation O: Abuse of Authority – Police Officer Richard Podlovits frisked § 87(2)(b)**

**Allegation P: Abuse of Authority – Sergeant Joseph Signorile entered § 87(2)(b) inside of**

**§ 87(2)(b)**

**Allegation Q: Discourtesy – An officer spoke discourteously to § 87(2)(b)**

**Allegation R: Abuse of Authority – Officers refused to provide their shield numbers to § 87(2)(b)**

It is undisputed that the officers knocked on the door to § 87(2)(b) for about three minutes. § 87(2)(b) looked through the door's peephole into the fourth floor hallway at some point during this period. He saw officers standing behind the wall of the stairwell. They did not have their shields out, however, and § 87(2)(b) did not realize they were police. To protect themselves, § 87(2)(b) and § 87(2)(b) armed themselves with kitchen knives. § 87(2)(b) then opened the apartment door. This is seen at 00:47 in body-worn camera footage recorded by Police Officer Richard Podlovits [BR 15], one of multiple officers assigned to borough anti-crime that had responded to Sgt. Signorile's request for additional units. At 00:51, § 87(2)(b) exits the apartment, holding a small knife in each of his hands. At 00:53, § 87(2)(b) can be seen standing behind his father in the apartment hallway. It is undisputed that he wielded a chef's knife in his right hand. PO Vargas and PO Echevarria were consistent that § 87(2)(b) pointed the blade of his knife toward the officers. PO Podlovits and PO Vargas each drew their firearms, and pointed them at § 87(2)(b) and § 87(2)(b). Police Officer Austin Hieronymi drew, but did not point, his firearm. He is seen doing so in the background, in the far right of the frame, at 00:56 in PO Podlovits's BWC recording. At 01:00 in the same recording PO Vargas is heard yelling "get the fuck out." It is not clear if other officers use profanity. § 87(2)(b) and § 87(2)(b) all complied with officers' orders to exit the apartment. § 87(2)(b) testified that he was frisked immediately after exiting his apartment. PO Echevarria is seen escorting § 87(2)(b) into the fourth floor hallway at 04:12 in his own BWC video and at 01:01 in PO Podlovits's BWC video. PO Echevarria does not appear to frisk § 87(2)(b) at any point. PO Echevarria testified that he did not recall frisking § 87(2)(b). At 04:23 in PO Echevarria's BWC video [BR 16], Police Officer Hieronymi – who at this point has not yet activated his own body-worn camera -- is seen guiding § 87(2)(b) to the ground, immediately in front of PO Echevarria. § 87(2)(b) alleged that, once he was on the ground, PO Hieronymi struck him in his leg. PO Echevarria's BWC footage does not corroborate this allegation. PO Hieronymi is not seen using any strikes against § 87(2)(b). PO Podlovits, at 01:28 in his BWC video, is seen frisking § 87(2)(b) while asking if he has any weapons on him.

It is undisputed that PO Vargas, Sgt. Signorile, Sgt. Demkiw, and multiple other back-up officers entered § 87(2)(b) after § 87(2)(b) and § 87(2)(b) had been removed from the premises and handcuffed. BWC footage recorded by PO Echevarria shows that only three officers, including himself, remained in the hallway outside of the apartment. Sgt. Signorile testified that he entered to conduct a safety sweep. He intended to look for additional persons inside of the apartment that could pose a threat to the officers on-scene, as well as to seize any weapons in plain view. The sweep is captured at 08:37 in Sgt. Signorile's BWC recording, 00:00 in PO Echanique's BWC recording [BR 17], and 01:27 in Sgt. Demkiw's BWC recording [BR 18]. None of these videos show officers intruding into spaces not open to plain view. After conducting the protective sweep, some officers spoke to § 87(2)(b) and § 87(2)(b) in the hallway outside of their apartment. § 87(2)(b) testified that he told § 87(2)(b) not to answer any officer's questions. This is captured at 08:05 in Sgt. Demkiw's BWC footage and at 05:27 in PO Hieronymi's BWC recording [BR 19]. Immediately thereafter, an officer – whom § 87(2)(b) could not describe – allegedly said "fuck you" to § 87(2)(b). None of the ten BWC

videos received for the case capture an officer saying “fuck you” to § 87(2)(b). At 05:58 in PO Hieronymi’s BWC footage, § 87(2)(b) is heard stating “I want every badge number up here, every badge number.” Other officers are conversing with § 87(2)(b) and § 87(2)(b) and it is not clear that all of the officers hear § 87(2)(b). Minutes later, captured at 15:55 in Sgt. Signorile’s BWC footage, § 87(2)(b) requested a badge number from an officer standing out of frame. Two officers are apparently heard providing their shield numbers. § 87(2)(b) then requests a “piece of paper.” Sgt. Signorile states “yeah, I’ll give you everything.” § 87(2)(b) testified that he received a business card from a sergeant, whose name he did not recall.

Under Patrol Guide 221.01, force may be used when it is reasonable to ensure the safety of a member of the service or a third person, or otherwise protect life, or when it is reasonable to place a person in custody. In all circumstances, any use of force must be reasonable under the circumstances. The decision to display or draw a firearm should be based on an articulable belief that the potential for serious physical injury is present. When a uniformed member of service determines that the potential for serious physical injury is no longer present, the uniformed member of the service will holster the firearm as soon as possible. NYPD Patrol Guide 221.01 [BR 20].

In *People v. Green*, the court ruled that under certain circumstances, immediately following an arrest, law enforcement officers without a warrant may be permitted to conduct a security check – a very quick and limited pass through the premises to check for third persons who may destroy evidence or pose a threat to the officers. The delay attendant upon obtaining a warrant could enable accomplices lurking in another room to destroy evidence. Most important, the safety of the arresting officers or members of the public may be jeopardized. *People v. Green*, 103 A.D.2d 362 [BR 21].

In DAO-DCT case 2018-18951, the tribunal held that profane remarks made in the context of a violent or stressful encounter can be excused. DAO-DCT case 2018-18951 [BR 22].

Under Administrative Guide 304-11, following any level-3 encounter (including stops and frisks) as well as searches of person or property, officers must state their names, ranks, shield numbers and commands, or otherwise provide them, to anyone who requests they do so. Further, following an encounter as described above, officers must offer Right to Know business cards except in cases when a summons is issued or an arrest is made, or exigent circumstances are present, including any factors that make such procedure impractical [BR 33].

§ 87(2)(g)

§ 87(2)(g)

§ 87(2)(g)

§ 87(2)(g)

Body-worn camera footage shows that PO Podlovits frisked § 87(2)(b) § 87(2)(g)



§ 87(2)(g)

Sgt. Signorile and multiple officers under his supervision entered the Russells' apartment after taking both Russells and § 87(2)(b) into custody. § 87(2)(g)

§ 87(2)(b) alleged that an officer said "fuck you" to him on two occasions, first when he told § 87(2)(b) not to answer any questions and then when he asked officers for their shield numbers. None of the body-worn camera videos received for this case capture an officer saying "fuck you" to § 87(2)(b) or to anyone else. § 87(2)(g)

§ 87(2)(b) requested the badge numbers of all officers involved in the encounter. § 87(2)(g)

### Civilian and Officer CCRB Histories

- This is the first CCRB complaint to which § 87(2)(b) and § 87(2)(b) have been parties [BR 23, 24, and 25]
- Sgt. Signorile has been a member of service for 11 years, over which time he has been the subject of 10 complaints and thirty allegations, four of which were substantiated.
  - Case 201601216 involved substantiated allegations of frisk, search, and vehicle search. The board recommended command discipline B. The NYPD imposed a penalty of Command Discipline B.
  - Case 201902427 involved a substantiated allegation of discourtesy – word. The board recommended formalized training. The NYPD imposed a penalty of instructions.
  - § 87(2)(g)
- Police Officer Dennis Vargas has been a member of service for seven years, over which time he has been the subject of thirteen cases and thirty eight allegations, two of which were substantiated.
  - Case 201506210 involved a substantiated allegation of premises entered and/or searched, which resulted in charges. He was found guilty at trial. The NYPD imposed a penalty of three forfeited vacation days.
  - Case 201904508 involved a substantiated allegation of failure to provide an RTKA card. The board recommended command level instructions. The NYPD penalty is not listed.

- Case 202002500, which involves allegations of failure to provide RTKA card, frisk, refusal to provide name, refusal to provide shield number, search, stop, and vehicle search, is still under investigation to date.
- Case 202002669 involves allegations of failure to provide RTKA card, frisk, refusal to provide name, refusal to provide shield number, and stop, and is still under investigation to date.
- Case 202002792, which involves allegations of failure to provide RTKA card, frisk, refusal to provide name, search, and stop, is still under investigation to date.
- Case 202004217, which involves allegations of failure to provide RTKA card and stop, is still under investigation to date.
- § 87(2)(g) [REDACTED]
- PO Echevarria has been a member of service for eight years, over which time he has been the subject of six complaints and fourteen allegations, one of which was substantiated.
  - Case 201800538 involved a substantiated allegation of search. The board recommended charges. The NYPD penalty is not listed.
  - Case 202003397, which involves a discourtesy allegation, is still under investigation to date.
  - Case 202004217, which involves allegations of stop and failure to provide RTKA card, is still open to date.
  - § 87(2)(g) [REDACTED]
- PO Echanique has been a member of service for six years, over which time he has been the subject of three complaints and twenty one allegations, none of which have been substantiated.
  - Case 202003263, which involves allegations of physical force, failure to provide RTKA card, frisk, refusal to provide shield number, search, stop, and discourtesy, is still under investigation to date.
  - Case 202004217, which involves allegations of failure to provide RTKA card, frisk, search, and stop, threat of arrest, and discourtesy is still under investigation to date.
  - § 87(2)(g) [REDACTED]
- PO Hieronymi has been a member of service for six years, over which time he has been the subject of five complaints and twenty six allegations, one of which was substantiated.
  - Case 201910753 involved a substantiated allegation of frisk. The board recommended command discipline – B. The NYPD penalty is not listed.
  - Case 202003262, which involves allegations of failure to provide RTKA card, frisk, refusal to provide shield number, search, and seizure, is still under investigation to date.
  - Case 202003623, which involves allegation of stop, is still under investigation to date.
  - § 87(2)(g) [REDACTED]
  - § 87(2)(g) [REDACTED]
- PO Podlovits has been a member of service for six years, over which time he has been the subject of five complaints and twenty seven allegations, four of which were substantiated.
  - Case 201901922 involved a substantiated allegation of entry of premises. The board recommended charges. The NYPD penalty is not listed.
  - Case 201910753 involved substantiated allegations of failure to provide RTKA card and frisk. The board recommended command discipline B. The NYPD penalty

- is not listed.
  - Case 202003263, which involves allegations of physical force, failure to provide RTKA card, frisk, refusal to provide shield number, search, and stop, is still under investigation to date.
  - § 87(2)(g) [REDACTED]
- The investigation is in receipt for summaries of employment history for PO Vargas [BR 29] and Sgt. Signorile [BR 30].

### Mediation, Civil, and Criminal Histories

- This case was not suitable for mediation.
- § 87(2)(b) [REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED] [BR 26].
- § 87(2)(b) [REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED] [BR 27].
- According to the New York City Office of Court Administration, § 87(2)(b) [REDACTED] has not been convicted of a crime in New York City [BR 28].
- According to the New York City Comptroller's Office, there are no notices of claim related to his incident [BR 31].

Squad: \_\_\_\_7\_\_\_\_

Investigator: ____Will Rasenberger____	_Inv. Will Rasenberger____	__11/04/2021__
Signature	Print Title & Name	Date

Squad Leader: _____	Manager Vanessa Rosen	November 15, 2021
Signature	Print Title & Name	Date

Reviewer: _____	_____	_____
Signature	Print Title & Name	Date